

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE PORK ANTITRUST
LITIGATION

Case No. 18-CV-1776 (JRT/JFD)

This document relates to:
Sysco Corporation v. Agri Stats, Inc.
et al., Case No. 21-cv-1374

BOIES SCHILLER FLEXNER LLP'S RESPONSE TO ECF 1871

Boies Schiller Flexner LLP ("BSF") respectfully makes this filing in response to the Court's Order directing that "the deadline for responses to Direct Action Plaintiff Sysco Corporation's Motion for a Limited Stay [1843] is extended to Friday, 3/24/2023," ECF 1871, and following up discussion with the Court during the March 22, 2023 Case Management Conference.

During the Conference, the Court expressed a desire to hear from BSF about allegations Sysco has made concerning BSF. BSF is eager to have full disclosure of the facts, but has been constrained in its ability to respond publicly. BSF therefore requested and received permission from the Court during the Conference to make any substantive filing under seal.

Approximately 90 minutes after the Conference, Nicole Hyland from the firm Frankfurt Kurnit Klein & Selz PC, counsel for Sysco, who has entered a "limited appearance" in this case for Sysco (see ECF 1872), sent an email to BSF's Scott Gant, objecting to any BSF filing responding to the underlying facts in Sysco's stay motion, even if under seal, and reserving all rights against BSF if it does so.

In light of Sysco's position and its refusal to consent to a filing by BSF, even under seal, BSF currently is unable to provide more information to the Court.

If the Court orders BSF to provide a substantive response, we will of course comply.

Respectfully submitted,

/s/ Scott E. Gant

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